

What Every Parent Should Know About Establishing Paternity



*State of Michigan
Family Independence Agency*

Si Ud. no entiende esto, llame a su oficina local de La Agencia Para La Independencia De La Familia

From One Parent to Another

Raising a child today is not an easy task, even under the best of circumstances. I am here to tell you it is even more difficult if you are an unwed mother. But it can be manageable if the father of your child legally establishes paternity and provides you with the financial and emotional support needed for raising your child.

We used to assure concerned friends and family that our situation was different from other unwed parents because we were in a loving relationship. Paul was even going to be with me in the delivery room for the birth of our baby! Yet six weeks after our daughter was born, our relationship broke down. Paul simply wasn't ready for the emotional and physical demands of caring for a newborn, much less marriage.

Like many unwed mothers, I believed I would be able to afford and raise our child alone. But it didn't take long to realize I couldn't manage financially. Our daughter was ill during her first months and medical bills rolled in. Her day care costs nearly equaled my monthly rent!

But what finally prompted me to seek services through the Family Independence Agency, Office of Child Support was seeing a copy of our daughter's birth certificate. I assumed it would name Paul as the father since he had been with me in the delivery room. I was shocked to see, on the "name of the father" line, a row full of XXX's! That's when I realized our daughter deserved much more in life. She was entitled to her father's name on her birth certificate as well as his financial and emotional support.

Soon after, I signed up for child support services. Within ten months, paternity was legally established and a child support order was issued. I am now receiving child support payments on a monthly basis. The legal and financial matters are resolved and Paul has since decided he wants a relationship with his daughter. Today our daughter is benefiting from both the financial and emotional support she receives from both of us.

From one parent to another, we urge you to think of your child's needs first. Please consider the importance of having your child's paternity established and the benefits of child support services. Every child deserves a father. Every child deserves to be well cared for. And, every child deserves the love of both parents.

From A Parent Who's Been There

What is paternity?

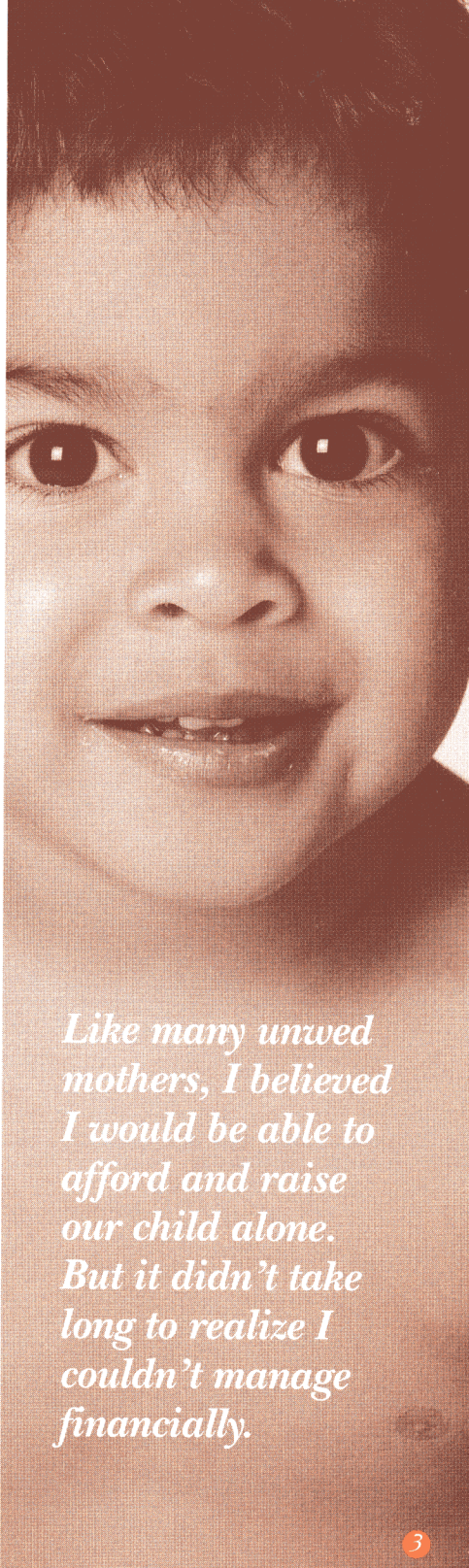
Paternity means fatherhood. Establishing paternity provides the child with a legal father.

Why is establishing paternity important?

The child has the right to a parent-child relationship with both parents. All three deserve an opportunity to develop, enjoy and grow in this relationship.

- **IDENTITY:** It is important to know who we are. Your child has the right to the sense of belonging that comes from knowing both parents. Also, the father's name can appear on the birth certificate.
- **MONEY:** The law requires both parents to support their children. This is true even with an unplanned pregnancy. Children supported by one parent often do not have enough money for their needs.
- **BENEFITS:** Your child has the right to other benefits from both parents. These may include social security, insurance benefits, (including medical) inheritance rights, veterans' and other types of benefits.
- **MEDICAL:** Your child may need a complete medical history from the families of both parents. This could include inherited health problems.

Both parents have the right to know and the responsibility to support their son or daughter emotionally and financially.



Like many unwed mothers, I believed I would be able to afford and raise our child alone. But it didn't take long to realize I couldn't manage financially.



*The father can sign a
paternity affidavit
even if he is married
to someone else.*

How is legal paternity established?

If the mother is married when she became pregnant, or when the child is born, her husband is considered by law to be the father unless a court has determined that the husband is not the father.

If the mother is **not** married when she became pregnant, or when the child is born, paternity can be established voluntarily or a judge can declare a man the legal father of the child.

How can unwed parents voluntarily acknowledge paternity?

Both parents must sign an Affidavit of Parentage form. The signatures must be notarized. The completed affidavit needs to be filed with the Central Paternity Registry, Division for Vital Records and Health Statistics, Department of Community Health. Generally, the agency who assists in completing the affidavit will file the form for you. Otherwise, it is the responsibility of the parent(s) to file the affidavit with the Central Paternity Registry.

Before signing the Affidavit of Parentage in the presence of a notary public, the father needs to provide a picture identification and his social security number, if possible or other identification.

What else do we need to know about voluntarily acknowledging paternity?

You are accepting the rights and responsibilities that come with raising a child when you voluntarily acknowledge paternity. Those rights and responsibilities include:

- The mother has custody of the child unless otherwise determined by the court or agreed by the parties in writing.
- Either parent may assert a claim in court for parenting time or custody.
- Both parents have a right to notice and a hearing regarding the adoption of the child.
- Both parents have the responsibility to support the child and comply with an order for child support.
- The parents are giving up their right to:
 - ◆ blood or genetic testing to determine if the man is the biological father of the child;
 - ◆ a court appointed attorney to represent either party in a court action to determine if the man is the biological father of the child; and
 - ◆ a trial to determine if the man is the biological father of the child.

Where can unwed parents voluntarily acknowledge paternity?

There are several places to voluntarily acknowledge paternity:

1. Both parents can sign an Affidavit of Parentage form in the hospital at birth free of charge. Paternity can be established at a later date for no charge; but a fee is required to change/add the father's name to the birth certificate. Changes are done by the Vital Records Changes Unit, Department of Community Health.
2. Contact the Child Support Specialist at your county Family Independence Agency. You do not have to be on public assistance to seek help.
3. Request assistance from the Local Registrars Office in the county of child's birth.

The affidavit needs to be forwarded and recorded in the Central Paternity Registry, Division for Vital Records and Health Statistics, Department of Community Health.

What if the alleged father refuses to acknowledge paternity?

If the alleged father refuses to acknowledge paternity, the mother or the Michigan Family Independence Agency (if the child is receiving public assistance) may bring a paternity suit to have the matter resolved. The alleged father is entitled to a hearing in circuit court to prove whether or not he is the father.

What if I am not sure who the father of my child is?

Telephone the Child Support Specialist at your county Family Independence Agency. He or she will help you in identifying and locating (if necessary) the alleged father free of charge. You do not have to be on public assistance to seek help from the Child Support Specialist.

When is paternity genetic testing necessary?

When the alleged father questions or denies paternity.

How is paternity testing done?

If genetic testing is necessary in your case, you will be scheduled for tissue sampling in the area where you live. A tissue sample will be taken from the alleged father, the mother and the child. A laboratory provides the testing. The tests compare many different and complex details of the child's tissue sample with similar details in the mother's and alleged father's tissue samples.



*What does paternity
genetic testing show?*

*The testing will show that
the man is not the
biological father of the
child; or it can show a
greater than 99 percent
likelihood that the man is
the father.*

*It is illegal to
provide false
information on
a child's birth
certificate.*

Who pays for the genetic testing?

A court decides who pays for the genetic testing. A court usually orders the alleged father to pay the costs if he is found to be the father.

What if the father or mother is not 18?

The age of the father or mother is not relevant under Michigan paternity establishment laws.

Can the name of the father be put on the child's birth certificate?

That depends on the situation.

- A married woman's husband will be recorded as the father on the child's birth certificate.
- When the mother is not married when she became pregnant or when the child is born, or if the mother has never been married, the name of the father can appear on the child's birth certificate if a paternity affidavit has been completed and notarized first.

Who has custody of the child?

Upon signing the affidavit, custody is granted to the mother, unless otherwise determined by the court or agreed to by the parties in writing.

Does the father have the right to parenting time?

Parenting time can be a mutual arrangement between the parents or established by a circuit court order. The father has the right to seek court-ordered custody and parenting time.

Where do I get help in establishing a child support order?

Contact the Child Support Specialist at your county Family Independence Agency for free help. You do not have to be on public assistance to seek help from the Child Support Specialist. Private attorneys also can help establish a child support order.

How is child support determined?

Child support is set by a formula found in the Michigan Child Support Formula Manual. This formula considers **both** parents' income, the number of children and the custodial arrangement. Medical costs for the baby may be included in the child support order.



Can paternity be established if the father lives outside of Michigan?

Yes. Sometimes this can be done through Michigan courts. If not, the Child Support Specialist at your county Family Independence Agency will refer you for help to locate the alleged father or initiate interstate procedures.

Why is now the right time to establish paternity?

Take advantage of this simple way to establish paternity without going to court. Your child has a better chance to grow up with the advantages and benefits that come from having both parents share in parental responsibilities.

**Give your baby the
best possible chance in life by
getting paternity established now.**

Don't wait. Do it for your child.



FOR MORE INFORMATION ON:

- ACKNOWLEDGING PATERNITY OR OBTAINING A CIRCUIT COURT ORDER call the Child Support Specialist at your county Family Independence Agency.
- AMENDING THE BIRTH CERTIFICATE call the Vital Records Changes Unit, Department of Community Health at (517) 335-8660.



Office of Child Support

State of Michigan
Family Independence Agency



The Family Independence Agency will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, political beliefs or disability. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you are invited to make your needs known to an FIA office in your county.